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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,168	03/26/2004	Paul Giampavolo	P/1759-147	1995

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EXAMINER

RODRIGUEZ, RUTH C

ART UNIT PAPER NUMBER

3677

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/811,168

Applicant(s)

GIAMPAVOLO, PAUL

Examiner

Ruth C. Rodriguez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

1. The finality of the rejection of the last Office action is withdrawn.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Anscher (US 5,855,057).

A safety buckle (100) comprises a socket (120) and a plug (110). The socket has a cavity with a first surface (Figs. 9-13d). A first catch (129,130) is in the cavity, adjoins the first surface and directed away from the first surface (Figs. 9-13d). The plug has a central arm (111) being inserted into the socket (Figs. 9-13d). The first latch (next to 112 at an upper side of 111) on the central arm is sized and positioned to cooperate with the catch when the plug is inserted into the socket to engage the plug and socket (Figs. 9-13d). A disengagement device (121) is on the socket and cooperates with the

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central arm or the catch to disengage the latch and the catch upon actuation of the device (Figs. 9-13d). A second catch or latch (next to 112 at a lower side of 111) is sized and positioned with symmetry to the first latch or first catch, respectively. The socket and plug may be engaged independent of a relative orientation of the socket and plug (Figs. 9-13d).

Anscher also discloses that the central arm includes the second latch (next to 112 at a lower side of 111).

### ***Response to Arguments***

4. Applicant's arguments, see pages 5 and 6, filed 18 May 2006, with respect to claims 1 and 3 have been fully considered and are persuasive. The rejection of 22 November 2005 has been withdrawn.

5. Applicant's arguments filed 22 November 2005 have been fully considered but they are not persuasive for the embodiment of figures 9-13d. Upon detailed review of the prior art of record, the Examiner realized that the reference by Anscher 5,855,057 still reads on claims 1 and 3. The arguments provided by the Applicant for the rejection of the claims was directed to the fact that when the orientation for insertion of the central arm of Anscher was changed the second latch or catch on the opposite side of the cavity or central arm could not engage the first catch. The Examiner acknowledges that this is true for the embodiments having two central arms, shown in Figures 1-8, where one central arm engages the first catch in the first orientation and the other central arm

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engages the first catch upon changing the orientation of insertion. However for the embodiment shown in Figures 9-13d, the first latch engages the first catch in the one orientation and the second latch or catch on an opposite side of the cavity or central arm is engaged with the first catch on an opposite orientation. Especially since the claim only requires that the second latch or catch be on an opposite side of the cavity or central arm with respect to the first latch or the first catch.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pogharian et al. (US 4,458,392), Fildan (US 4,712,280), Anscher (US 5,855,057, US 6,000,109 and US 6,446,314 B1), Niewiadomski (US 6,662,414 B1), Murai et al. (US 6,728,999 B2), British Patent Document GB 2 150 632 A, European Patent Document EP 0 348 075 A1 and Japanese Patent Document JP 07051106 A are cited to show state of the art with respect to safety buckles having two latches and/or two catches that allows multiple orientation of a plug being inserted into a socket.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

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Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez  
Patent Examiner  
Art Unit 3677

rcr  
June 2, 2006

  
**ROBERT J. SANDY**  
**PRIMARY EXAMINER**